

REMARKS/ARGUMENTS

A PTO/SB/08A is enclosed herewith to provide references cited in the International Search Report.

A new paragraph has been added in the specification to include a cross-reference to the related application.

Claims 1-16 are pending. Claims 1, 3, 4, 6-8, 11, and 12 are amended. No new matter is added as a result of the above amendments. Reconsideration of claims 1-16 is respectfully requested in light of the above amendments and the following remarks.

Rejection Under 35 U.S.C. §112

Claims 1, 2, 4 and 8 have been amended to improve the clarity of the claims. Accordingly, withdrawal of the rejections to claims 1, 2, 4 and 8 under 35 U.S.C. 101 and 112 is respectfully requested.

Rejection Under 35 U.S.C. §103

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le Gall (US1,887,814) in view of Tesek (US2,020,044). Applicant traverses this rejection for the following reasons.

Le Gall discloses a wood panel with at least one lattice work rib. The rib is formed of strips assembled to one another by means of slots 4 and 5 (see Fig. 4). The Examiner acknowledges that Le Gall does not include scrap woods that are joined together to form a rib.

Tesek discloses a door panel having a core construction 10, 34 are made up of glued together scrap wood where each of the scrap wood are orientated parallel to each other. Tesek does not suggest or teaches any engagement member for joining together the scrap wood to form the core construction 10, 34. Further, the core structure 10, 34 is a solid structure.

§2142 of the MPEP provides:

... the examiner must step backward in time and into the shoes worn by the hypothetical "person of ordinary skill in the art" when the invention was unknown and just before it was made... The examiner must put aside knowledge of the applicant's disclosure, refrain from using hindsight, and consider the subject matter as a whole.

Neither Le Gall nor Tesek discloses or suggests the desirability of the combination of a "hollow doors of wood material with at least one panel rib joined from modular components rendered from scrap wood material.

While Le Gall also discloses the latticework rib, the configuration (notches) for assembling the strips shown in Figs. 3-6 clearly not suitable for assembling scrap wood to form door panel rib. Similarly, the scrap woods in Tesek are glued together to form the solid structure of the door panel. There is no teaching or suggestion in Tesek of providing any modular component (formed by scrap wood) having engagement members, complementary engagement members and connecting means for forming the panel rib as claimed in the present invention.

Even, arguendo, a person of ordinary skill was to combine the disclosure of Le Gall and Tesek, the resulting combination still would not include "modular components rendered from scrap wood material, said modular components comprising engagement members, complementary engagement members and connecting means" because there is

no teaching or suggestion in neither one of the Le Gall and Tesek to provide the engagement members complementary engagement members and connecting means.

§2143.01 of the MPEP also provides

The mere fact that reference can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.

In the above context, the courts have repeatedly held that obviousness cannot be established by combining the teaching or the prior art to produce the claimed invention, absent some teaching, suggestion or inventive supporting the combination.

Therefore, for at least the reasons above, we respectfully request the Examiner to withdraw his objection.

Conclusion

For at least the foregoing reasons, it is believed that all the pending claims 1-16 of the present application are patentably defined over the prior art and are in proper condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted.

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Attachments